

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MONIQUE GRIMES, as Personal
Representative of the Estate of
DAMON GRIMES, Deceased,

Plaintiff,

v.

Case No.: 17-12860
Honorable Gershwin A. Drain

TROOPER MARK BESSNER, *et*
al.,

Defendants.

**ORDER GRANTING IN PART PLAINTIFF'S MOTION REGARDING
PRESERVATION OF EVIDENCE [#7] AND SETTING DEADLINES**

On October 6, 2017, the Court conducted oral argument on Plaintiff's Emergency Motion to Preserve All Evidence and to Produce All Evidence for a Reasonable Rate and Within a Reasonable Time Period Directed to the City of Detroit, Detroit Police Department, State of Michigan, Michigan State Police, All Employees of the Same and Former Trooper Mark Bessner. The Michigan State Police filed a Response to the instant motion on October 5, 2017. Counsel for non-parties, the City of Detroit and the Michigan State Police, appeared at the hearing. At the hearing, Plaintiff indicated that she has withdrawn her motion relative to the Michigan FOIA requests directed to the Michigan State Police and the City of

Detroit and its police department.

For the reasons stated on the record, the Court will grant Plaintiff's request for a preservation order. Accordingly, Plaintiff shall submit a proposed preservation order no later than close of business on October 6, 2017.

The City of Detroit and the Michigan State Police shall file their Response no later than October 13, 2017.

Counsel shall attempt to work out any disputes concerning the proposed preservation orders.

The parties shall submit the agreed upon preservation order no later than October 20, 2017. If no agreement can be reached, the parties shall each submit a proposed preservation order no later than October 20, 2017. In the event the parties cannot reach an agreement, the Court will conduct a hearing on this matter on October 24, 2017 at 3:00 p.m.

SO ORDERED.

Dated: October 6, 2017

/s/Gershwin A. Drain
GERSHWIN A. DRAIN
United States District Judge

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 6, 2017, by electronic and/or ordinary mail.

/s/ Marcia Beauchemin for Tanya Bankston
Case Manager